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ABSTRACT

This booklet presents guidelines designed to aid Texas school administrators in dealing with the three major aspects of public school personnel accounting--certification, allocations, and records. The booklet was prepared by the Texas Education Agency after extensive involvement with school district personnel in order to provide comprehensive, easy-to-use guidelines and to ensure uniformity of procedures in the three personnel accounting areas. The booklet is organized in three separate sections dealing in turn with certification guidelines, allocations guidelines, and records guidelines. However, neither the certification nor allocations sections were completed when the booklet was printed; only the section dealing with personnel records is included. Since the guidelines are based entirely on Texas educational legislation and requirements, they will be of limited value to educators from other states. (Author/JG)

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ED132648

GUIDELINES FOR SCHOOL PERSONNEL:

CERTIFICATION, ALLOCATIONS, AND RECORDS

Texas Education Agency
Austin, Texas
1975

EA 008 922

GUIDELINES FOR SCHOOL PERSONNEL:

CERTIFICATION, ALLOCATIONS, AND RECORDS

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Texas Education Agency
201 East 11th Street
Austin, Texas 78701

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Reviews of local education agencies pertaining to compliance with: Title VI Civil Rights Act of 1964 and with specific requirements of the Modified Court Order, Civil Action No. 5281, Federal District Court, Eastern District of Texas, Tyler Division are conducted periodically by staff representatives of the Texas Education Agency. These reviews cover at least the following policies and practices:

(1) acceptance policies on student transfers from other school districts;

(2) operation of school bus routes or runs on a non-segregated basis;

(3) non-discrimination in extracurricular activities and the use of school facilities;

(4) non-discriminatory practices in the hiring, assigning, promoting, paying, demoting, reassigning or dismissing of faculty and staff members who work with children;

(5) enrollment and assignment of students without discrimination on the ground of race, color or national origin;

(6) non-discriminatory practices relating to the use of a student's first language; and

(7) evidence of published procedures for hearing complaints and grievances.

In addition to conducting reviews, the Texas Education Agency staff representatives check complaints of discrimination made by a citizen or citizens residing in a school district where it is alleged discriminatory practices have or are occurring.

Where a violation of Title VI of the Civil Rights Act is found, the findings are reported to the Office for Civil Rights, Department of Health, Education and Welfare.

If there be a direct violation of the Court Order in Civil Action No. 5281 that cannot be cleared through negotiation, the sanctions required by the Court Order are applied.

FOREWORD

This bulletin is for school administrators responsible for personnel. It covers the three major aspects of personnel accounting for Texas public schools: certification, allocations, and records.

The guidelines herein were developed by members of the Texas Education Agency staff after extensive development involving school district personnel and, in some cases, college/university personnel.

The intent is to provide comprehensive guidelines in an easy-to-use format and to ensure uniformity of procedures in the three personnel accounting areas.

M. L. Brockette
Commissioner of Education

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ORGANIZATION AND USAGE OF BULLETIN

The three sections of this bulletin are color coded for convenience: Certification – white; Allocations – yellow; Records – blue.

Each section is organized by a number series: 1000, 2000, and 3000. Major topics and subtopics are listed by identification number at the beginning of each section, just after the green divider page. This numbering system has eliminated the need for page numbers and, with the looseleaf format, will facilitate the updating of the various sections.

Whenever personnel guidelines are changed through legislation, State Board of Education policies, or Texas Education Agency administrative procedures, notification to schools will be made by adding to, deleting from, or otherwise amending the appropriate procedures in the bulletin.

It is essential that persons responsible for personnel administration in each district have direct access to this bulletin. The Texas Education Agency will maintain a mailing list of persons holding the bulletins; changes will be sent to the persons on this list.

Schools may reproduce portions – or all – of the bulletin for distribution to other appropriate persons. Local procedures should be established to ensure that subsequent changes receive proper distribution within the district.

TABLE OF CONTENTS

	Procedure No.
Record of Changes	0.1000
Section 1 – Certification	1.0000
Section 2 – Allocations	2.0000
Section 3 – Records	3.0000

SUBJECT: RECORD OF CHANGES

Change No.	Dated	Date Received	Date Posted	Posted By
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SECTION 1
CERTIFICATION

This section is currently undergoing a pilot study as a separate document. Whenever the study is complete, holders of Bulletin 753 will receive the certification section as a change to the bulletin.

SECTION 2
ALLOCATIONS

Since the Sixty-fourth Legislature will in all probability pass legislation affecting allocation of units, Section 2 of this bulletin will not be released until determination to the extent of any such legislation.

SECTION 3
RECORDS

SUBJECT: CONTENTS OF SECTION 3--RECORDS

	Procedure No.
Background	3.0100
Data Reported to the Texas Education Agency	3.0200
The Roster of Professional Personnel	3.0210
Sick Leave Program Roster	3.0220
Professional Personnel Assignments	3.0230
Copies of Personnel Records	3.0300
Retention of Records	3.0400
Records for Auxiliary Employees and Consultants	3.0500
Types of Personnel Records	3.0600
Oath of Office	3.0610
Contracts	3.0620
Teacher Service Record	3.0630
General Rules for Completing the Service Record	3.0631
Attachments to the Teacher Service Record	3.0632
Addendum-Service Record Affidavit	3.0633
Tuberculosis Certificate	3.0640
Professional Credentials-General Requirements	3.0700
Evidence of Teacher Certification	3.0710
Credentials of the School Nurse	3.0720
Credentials of the School Physician	3.0730
Certification of Substitute Teachers	3.0740
Dates of Certificate Issuance	3.0750
Transcripts of Educational Attainment	3.0800
Official College Transcripts	3.0810
Sick Leave for Professional Personnel	3.0900
General Rules for Recording Sick Leave	3.0910
Sick Leave Balance from Prior Years	3.0920
Days of Sick Leave Earned During a Year	3.0930
Days of Sick Leave Used During a Year	3.0940
Recording Days of Sick Leave Used	3.0950
End-of-Year Sick Leave Balance	3.0960
Sick Leave Reimburseable by the State	3.0970
Personnel Assignments	3.1000
Records in Support of Personnel Assignments	3.1010
General Rules Regarding Actual Duties	3.1020
Nonallowable Assignments	3.1030
Teacher Preparation and Planning Time	3.1040
Consolidated Personnel Codes, RMS-300	3.1050
Developmental Leaves of Absence	3.1060
Nepotism	3.1100
Participation in Teacher Retirement	3.1200
Criteria for Determining Years of Service for the Foundation School Program	3.1300
General Policy on Years of Service	3.1310
Types of Entities From Which Experience is Allowed	3.1320
Service Not Allowable for Salary Increment Purposes	3.1330

	Procedure No.
Foundation School Program Degree Status	3.1400
Determination of Degree Status	3.1410
Degrees Not Recognized for Foundation School Program Purposes	3.1420
Audits by the Texas Education Agency	3.1500
Audit Assignments Policy	3.1510
Scope of the Audit	3.1520
Audit Reports	3.1530
Audit Adjustments	3.1540
Audit Verification Cards	3.1550
Uses of the Audit Verification Card	3.1551
Limitations of Audit Verification Cards	3.1552

The bulk of expenditures made by Texas public schools is for salaries of professional personnel and teacher aides. Likewise, the majority of funds allocated to school districts from the State is designated for salaries of personnel. In many, if not in all instances, amounts allocated for salaries to a school district are based on experience, assignments, and qualifications of personnel actually employed. Therefore, if one area can be singled out as being very important if not most important for public school funding purposes, the area of personnel accounting and administration bears this distinction.

Professional personnel and teacher aides are allocated to school districts by formulae or methods as described in Section 2 of this bulletin. Also, for professional personnel at least, certification is a prerequisite for employing and paying units employed in the public schools, and requirements for and methods of obtaining such certification are described in Section 1 of this bulletin. This chapter, Section 3, is for the purpose of informing public school administrators on the laws, policies, and procedures governing professional personnel and teacher aides and the methods necessary to report on and to account for such. The general laws concerning Texas public school teachers are codified in Chapter 13, Texas Education Code, and are the basis for the guidelines appearing herein.

SUBJECT: DATA REPORTED TO THE TEXAS EDUCATION AGENCY

Although there are numerous requirements and forms for reporting personnel data to the Texas Education Agency, personnel administrators are primarily concerned with three reports:

1. The Roster of Professional Personnel
2. Minimum Foundation Sick Leave Program Roster of Professional Personnel
3. Professional Personnel Assignments

These reports contain those base data necessary for funding and school accreditation purposes. Information on these three reports is submitted to the Texas Education Agency on an annual basis, and the three reports are placed in a computerized data base along with teacher certification and prior audit verification information. Accuracy in the preparation of this information is important, as the amount of funding received by most local school districts is affected, and this information is subject to and is the basis for State audit. The need for accurate information also has a direct bearing on the welfare of individuals as sick leave balances and years of service are material factors in determining personal compensation and other professional entitlements.

Information on this document is updated and completed on an annual basis in accordance with instructions and on forms issued by the Texas Education Agency, Division of Foundation School Program Finance. Current form format and instructions appear in Sections 2.050, 2.051, and 2.052, TEA Bulletin 742, School District Data Submission to the Texas Education Agency. All professional personnel and teacher aides are required to be reported on this roster regardless of funding sources used to pay individual salaries, and the local school district must maintain records to support information appearing on the roster.

Data appearing on the Roster of Professional Personnel is updated, added, deleted and corrected whenever necessary during a year by the use of a form entitled "Notice of Change in Professional Personnel." This form and instructions for its use and completion are issued by the Division of Foundation School Program Finance. The personnel roster is actually printed twice annually by the Texas Education Agency; the first copy is usually available during February and the final copy, showing all changes, is usually printed in July.

TEXAS EDUCATION AGENCY

ROSTER OF PROFESSIONAL PERSONNEL

COUNTY # 1 | DISTRICT # 2 | NAME OF DISTRICT | YEAR | PAGE

LINE #	SOCIAL SECURITY NUMBER	TEACHER CERTIFICATE #	LAST	FIRST	MI	DEG.	TOT EXP	YRS THIS DIST	PAY GRADE	STEP	PROF STAT	MAT DAYS	DAYS EMPLOYED	% DAY ASSIGN	FOUND UNIT COUNT	FOUND SALARY	ACTUAL SALARY	FOUND SALARY CODE	
	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21
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SUBJECT: MINIMUM FOUNDATION SICK LEAVE PROGRAM
ROSTER OF PROFESSIONAL PERSONNEL

Basic data appearing on this report are derived from the Roster of Professional Personnel and include information on sick leave balances and number of days of sick leave reimbursement. Forms and instructions for completing the sick leave roster are issued annually by the Division of Foundation School Program Finance, and the report format is illustrated in Sections 2.150 and 2.151, TEA Bulletin 742, School District Data Submission to the Texas Education Agency. Sick leave balances from prior year, days earned, sick leave days used, and end-of-year sick leave balances are reported for all professional personnel, even in cases where there is no reimbursement claimed from the Texas Education Agency. Information for the State sick leave program is reported by the local school district at the close of each school year and the sick leave roster is usually printed in November or December of the following year. The local school district must maintain records to support information appearing on the sick leave roster.

TEXAS EDUCATION AGENCY
DIVISION OF FINANCE
MINIMUM FOUNDATION SICK LEAVE PROGRAM
ROSTER OF PROFESSIONAL PERSONNEL

RETURN TO FINANCE DIVISION

COUNTY DISTRICT NAME YEAR DATE PAGE

SOCIAL SECURITY NUMBER	TEACHER'S NAME					BAL. FROM PRIOR YEAR			CURRENT YEAR (DAYS)								
	LAST	FIRST	MI		PRIOR STAT	CO.	DIST.	DAYS	EARNED	AVAIL.	USED	BAL.	DAYS EMP.	NDAYS ABSENT	POOLED UNIT COUNT	ED. CERT.	DATE FOR REIMBURSEMENT
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18

Assignments of professional personnel and teacher aides are reported to the Texas Education Agency, Research Division, each October. This report is made on the form and in accordance with instructions and codes that appear in Sections 2.030, 2.031, 2.032, and 2.033, TEA Bulletin 742, School District Data Submission to the Texas Education Agency. Unlike district wide data submitted on the Roster of Professional Personnel and the sick leave roster, personnel assignments are reported by campus for each individual.

Since there is a relationship between actual assignments, finance, school accreditation, and teacher certification, it is very important that personnel be properly assigned. In order to aid local school administrators in determining whether personnel are assigned in areas in which they are qualified, the Texas Education Agency annually publishes the "Consolidated Personnel Codes (RMS-300)" as a guide. This guide and its instructions and assignment codes appear in Section 3.010 of the previously mentioned Bulletin 742. Although it cannot be used to complete all professional personnel status codes required on the Roster of Professional Personnel, in most cases the guide can be used very effectively to determine propriety of assignments.

TEXAS EDUCATION AGENCY

[redacted]

1974-75

ORIGINAL—RETURN TO TEXAS EDUCATION AGENCY

COUNTY-DISTRICT NO.	NAME OF DISTRICT	CAMPUS NO.	CAMPUS TYPE

1	2	3	4	5	6	7	8	9	10	11	12
SOCIAL SECURITY	LAST NAME	FIRST NAME	MI	$ I	$ II	ASSIGNMENT CODE	SPEC. POSITION	DEM	TOTAL ENROLLMENT	PREP. PERIODS	NO. OF CLASSES

SUBJECT: COPIES OF PERSONNEL RECORDS

For Texas Education Agency audit purposes, photo process copies of personnel records are acceptable if such copies are legible and there appears to be no evidence of alteration or tampering. Multiple overlay copies (more than one document appearing on a single copy in such a manner that each document is not fully shown) are often questionable and each document should usually be copied separately.

Copies of teacher's certificates may be made or the information on the face of the certificate may be recorded in a local register for audit purposes. The original certificate is the property of the teacher and should remain with the teacher, especially whenever employment with the local district is terminated. Emergency teaching permits and their renewals are property of the local school district and the originals are to be kept on file.

Local school officials are encouraged to retain copies of a teacher's service record and to send the original with the teacher whenever employment with the school district is terminated. The reason for this is that most teachers change districts of employment one or more times during their careers, and if the teacher does not have the original service record, reproduction of photo copies may not be legible.

On the other hand, school officials are not encouraged to photo copy college or university transcripts to retain on file. Reasons for this are that such transcripts are usually photo copies themselves and are often not legible when reproduced; also, the college seal or the registrar's signature do not always show on a reproduced copy of a transcript. If it is absolutely necessary for a copy to be made of a transcript, great care must be taken to assure that the college or university seal is evident. In general practice, transcripts received directly from the college or university are more readily acceptable than transcripts delivered by the individuals themselves.

SUBJECT: RETENTION OF RECORDS

Texas Education Agency general policy on the retention of records is that such records must be retained on file for a period of not less than five years from the time that they become inactive. For personnel records, however, it is felt that they should be filed for an indefinite period; this is especially true of service records, contracts, and individual payroll records as they may be needed for years after an individual has been terminated. Original public records, such as board minutes, should not be destroyed or disposed of except under the provisions of the law (Article 6574b, Vernon's Civil Statutes).

SUBJECT: RECORDS FOR AUXILIARY EMPLOYEES AND CONSULTANTS

Although the Foundation School Program Act does not generally apply to employees other than professional personnel and teacher aides, there are nevertheless some State and Federal reporting requirements necessary for other types of public school personnel. Auxiliary employees are defined as custodial, bus drivers, cooks, and other personnel employed by a school district for which there are no codes available in the Consolidated Personnel Codes (RMS-300), as described in Section 3.010 of TEA Bulletin 742, School District Data Submission to the Texas Education Agency, and those positions not provided for in the Texas Education Code, Section 16.056(b).

Types of records that must be kept for auxiliary employees are often also required of professional personnel and teacher aides; these types of records include payroll records, teacher retirement reports, income tax withholding reports, social security (if applicable), insurance records for group policies (if applicable), workmen's compensation, etc. In other cases records must be kept that only pertain to auxiliary personnel, such as records necessary for completing Selected Staff Information, RES-032, as illustrated in Sections 2.040-2.042 of the previously mentioned TEA Bulletin 742.

The Texas Education Agency has no established guidelines concerning an overall system of records maintenance for auxiliary employees; however, school districts should keep records in such a manner that they will be readily available and will allow for expeditious examinations by the Internal Revenue Service, Texas Teacher Retirement System, and other appropriate agencies that have need to examine employee data.

Often a school district finds it necessary to contract with or engage outside consultants. A consultant for this purpose is an independent contractor and is not an employee of the school district; compensation is usually on a fee basis and is not considered as salary.

Examples of outside consultants include the public or certified public accountant engaged to perform the required annual audit, and diagnostic or appraisal personnel that perform specialized functions necessary for programs of special education. The law or Texas Education Agency regulations often require that certain minimum qualifications be met before consultants can be engaged. The auditor, for example, must be licensed by the Texas State Board of Public Accountancy; a psychologist must hold certification from the Texas State Board of Examiners of Psychologists. Before a contract is entered into with an outside consultant, the school district should review the applicable State regulations related to necessary qualifications of such consultants and accordingly keep records in support thereof.

Employees of public school districts and other tax-supported institutions must take the oath of office (or if a foreign visiting instructor or refugee, an affidavit) as prescribed in Section 2.06 of the Texas Education Code. The oath of office reads as follows:

> "I, (Name of person taking oath), do solemly swear or affirm, that I will faithfully execute the duties of the office of (title of position; i.e., Teacher) of the State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State; and I furthermore solemly swear or affirm, that I have not directly nor indirectly paid, offered, or promised to pay, contributed, nor promised to contribute any money, or valuable thing, or promised any public office or employment, as a reward to secure my appointment or the confirmation thereof. So help me God."

Documents in support of data submitted to the Texas Education Agency for financial, sick leave, and assignment purposes must be maintained on file by the local school district. These records are subject to audit by the Texas Education Agency and the importance of their completeness and accuracy cannot be overstressed.

Most school districts maintain individual folders on all professional personnel and teacher aides. These folders are usually located in the central administration office. Regardless of whether a central folder is maintained, the school district's files must have at least the following evidence readily available to support data for its professional personnel and teacher aides:

1. Contract (professional personnel only).
2. Service record and any applicable attachments.
   .Military service papers.
   .Addendum - Service Record Affidavit.
   .Verification of college or university faculty status.
   .Verification of accreditation status.
   .Other correspondence.
3. Professional certificate or license (when required).
4. Transcripts of educational attainment.
5. Sick leave absence reports and records of substitutes (professional personnel only).
6. Teaching schedules or other assignment record.
7. Audit verification card (if applicable).
8. Oath of Office.
9. Tuberculosis Certificate.

SUBJECT: CONTRACTS

A local school district must employ professional personnel by a written contract that sets forth terms and conditions of such employment. If evidence of a contract appears only in the board minutes of the school district, a written acceptance must be received from the professional employee. All contracts regarding rehiring or hiring of professional personnel shall be valid only if approved by local school board officials. Sections 13.101 through 13.116 of the Texas Education Code pertain to teacher's employment contracts.

The basic document in support of the number of years service and sick leave balance of professional personnel and the number of years service for teacher aides is the teacher service record form. An example of this form is presented below, and the information shown is minimum in nature. The form has changed over the years and additions or changes that have been made are for purposes of providing information mandated by law and/or State Board of Education administrative procedure. This form (or a copy) is kept on file at the local level and the original (if available) is to accompany the teacher or aide to other school districts whenever employment is changed.

LAST FIRST MI

SOCIAL SECURITY NO.

SIGNATURE OF TEACHER

TEACHER SERVICE RECORD

FOR FOUNDATION SCHOOL PROGRAM ACT

(Service must be entered on this form beginning with 1976-77 and subsequent years)

See reverse side for instructions

1	2	3	4	5	6	7	8	9	10		11				12
School Year	State or Country	County or Reservation	School District or Institution	Day Classes	Day Only	% of Day Taught	School Code(s) Taught	No. Days Taught	Dates of Service		NOT Classified Sick Leave Purposes				Only Authorized Experience acceptable (See Bulletin Regarding Experience)
									From	To	Ind. Prior Year	Personal	Visit.	Ind. Sick	

TEA-120

The following list of rules should be observed in completing the teacher service record form. Although there are exceptions to these rules, failure to comply in many cases can result in audit exceptions, possible adjustment of funds for the school district, and reduction of salary increments or sick leave balance for the individual involved.

1. Applicable information on a line of the service record is to be completed in detail for each year of service.

2. Service must be shown by school year which is defined as the State scholastic year, September 1 through the ensuing August 31. Inservice days and teaching days at the start of the school term, usually in August, are considered to be within the school year beginning the following September 1. Otherwise, periods of employment must be reflected within the school year incurred, and recorded accordingly on a separate line of the service record (i.e., If a person was employed continuously from July 1, 1975 through June 30, 1976, the period July 1 through August 31, 1975 would be recorded on one line of the service record for the 1974-75 school year, and the period September 1, 1975, through June 30, 1976, would be recorded on another line of the service record for the 1975-76 school year).

3. The names of the state or country, the county or its equivalent, and the school district or institution must be entered in such a manner as they can be postively identified. Common abbreviations (i.e. "Tx" for Texas, "N.Y." for New York, "Mex." for Mexico, etc.) may be used since space is limited on the service record form, however; locally used abbreviations that are not generally recognized throughout the United States should be avoided. If the institution is an overseas Department of Defense dependents school, the APO number may be entered instead of the name of the county. If experience was in one of twenty school districts in Texas for the 131 or 145 extended day migrant program, "MIG-PROG" should be indicated above the name of the school district.

4. Pay grade and step are shown beginning with the 1971-72 school year for service in Texas public schools only; this should be left blank if service was in an institution other than a Texas public school. The pay grade and step should be computed on the same level of the individual's actual duties and salary (i.e. If an individual acted as an assistant superintendent and was paid accordingly, the pay grade would be shown as such on the service record even though that person may have been shown on the Roster of Professional Personnel as a classroom teacher unit). The pay grade and step is determined in accordance with the "Texas State Public Education Compensation Plan-Minimum Foundation Salary," which is published and distributed annually to all Texas public school districts by the Texas Education Agency.

5. Percentage of day employed is required on the service record beginning with the 1974-75 school year and for any year of part-time service whenever the teacher desires to claim such year for salary increment purposes (a full day is recorded as 100%, a half day as 50%, three quarters of a day as 75%, etc). For service recorded on the service record form required for the 1973-74 and prior school years, full or part-time may be indicated instead of the percentage of the day, except in cases of part-time service for which salary increment will be claimed.

6. School grade taught is required to be shown on the service record beginning with the 1974-75 school year. If more than one grade was taught, the span should be shown (i.e., 2-6, 7-12, etc.). A supervisor is shown as "Supv.", a counselor as "Cons.", part-time principal as "PTP", full-time principal as "FTP", superintendent as "Supt.", a librarian as "Lib.", etc.

7. Number of days employed during the school term must be shown on the service record beginning with the 1972-73 school year. For service records completed for the 1971-72 and prior years, the number of months employed may be shown instead of the number of days, except that in cases where a teacher was employed 50% but less than 100% of the day and is claiming experience increments the record must show the number of days.

8. Dates of service must be shown on the service record beginning with the 1974-75 school year. For service records completed for the 1973-74 and prior years, beginning and ending dates of service need be shown only if such service was for less than nine months or less than 180 days.

9. Sick leave balances, days earned, and days taken under the Minimum Foundation Sick Leave Program are recorded on the service record beginning with the 1970-71 school year for all professional personnel. Aides do not participate in the State sick leave program and this section of the service record must indicate "Teacher Aide" instead of sick leave information. Also, only sick leave earned and used by professional personnel during employment with the Texas public schools should be recorded in this section of the service record; sick leave from private schools, colleges or universities, etc., should not be shown.

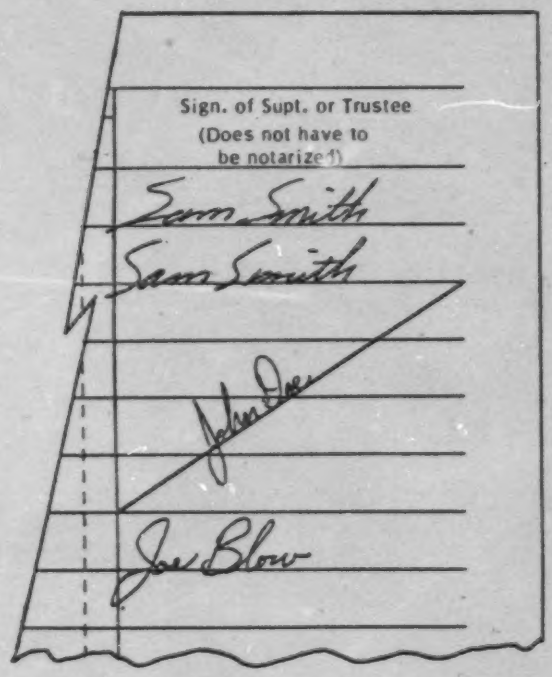
10. Years on the service record must be signed by the authorized personnel of the school district or institution. Rubber stamp signatures or ditto marks are not acceptable and service so verified is not valid. The following rules apply to signatures validating experience:

    . Service of professional personnel and public school aides must be validated by the superintendent or chief administrator of the institution; or by a school trustee or other appropriate governing board member; or by an administrative person approved by the local board of trustees as recorded with the Finance and Audit Divisions of the Texas Education Agency.

- Service of the superintendent or chief administrator must be signed by the president or secretary of the appropriate local governing board.

- For service prior to 1930 where it is not practical or possible to secure the signature of a school official, the service may be signed by a responsible person in the community having first hand knowledge of such service, provided that this person is not related to the teacher.

- Only one signature is sufficient to validate service shown on two or more lines of a service record whenever the signature appears on a carefully drawn diagonal line as illustrated below. Care must be exercised to assure that the diagonal line does not extend or cannot be extended into other lines on the service record.



11. The teacher's or aide's name must appear on the service record for identification purposes. Beginning with the 1974-75 school year, the service record provides space for the social security number and this should be completed. Ideally, the teacher or aide should sign the service record whenever:

    - All of the lines on the service record are filled or the person leaves public education.

- Unsigned service records on file with a district will be accepted as long as the total experience reflected on the record is with the district where the record is on file.

- The person changes school districts of employment. In such instance the service record is not valid at the new district of employment until it has been signed.

12. A full-time vocational unit employed as a half-unit each in two school districts during a year requires that two lines of the service record be completed as illustrated below. The original service record may be filed by one of the districts and only a copy filed by the other, or two original records may be prepared and filed accordingly in each school district.

TEACHER SERVICE RECORD
(Service must be entered o

Year	State	County	School District	*Pay Grade	*Step	Part-Time or Full-Time	No. of Days
1971-72	Texas	Anywhere	Anywhere ISD	7	6	½ Unit Full-Time	230
1971-72	Texas	Anywhere	Fiction ISD	7	6	½ Unit Full-Time	230

Under certain circumstances information appearing on the teacher service record form is not adequate by itself to support years of service claimed. As subsequently discussed in this bulletin, allowability of some types of experience for increment purposes depends upon factors as inclusive dates of actual service, the accreditation status of the employing school, and faculty status at colleges or universities. In some instances a letter from the employing school is acceptable in lieu of the service record for substantiating experience if all information required on the service record form is present. In most instances, however, letters are attached to support the information on the form itself rather than to act in lieu of the service record.

Normally attachments to the service record are required for service in out-of-State private schools, foreign institutions, the military, and for experience in colleges and universities. These attachments are discussed and/or illustrated in this publication. See Procedure Nos. 3.0633 and 3.1320.

SUBJECT: ADDENDUM - SERVICE RECORD AFFIDAVIT

Teacher service records prepared for years prior to September 1, 1949 often did not include provisions for the number of months or as to whether service was full-time or part-time. Whenever it became mandatory to indicate this information on the service record form, it was often impossible to secure the necessary data from the school district, as many schools did not keep records showing sufficient detail and many schools had long since ceased to exist.

The addendum form is completed by the teacher for the purposes of establishing the number of months served in a year and whether such service was full or part-time. School years that may be covered by the addendum must be prior to the 1949-50 year, and otherwise must be verified on a properly signed teacher service record.

ADDENDUM

Service Record Affidavit

(To be attached to Teacher Service Record in use prior to September 1, 1949)

Year	State (abbr.)	County	School District	No. Mos. Claimed	Full or Part-Time

I hereby certify that the information contained on this addendum to my Teacher Service Record and the original supporting document attached thereto is true and correct to the best of my knowledge and belief.

_____
(Signature of Teacher)

Subscribed and sworn to before me this ___ day of _____ 19 ___.

_____
Notary Public _____County, Texas

From State Board of Education policies

In instances where teachers, principals, or superintendents are found guilty of willful false swearing in completing reports pertinent to average daily attendance, transportation, service records, etc., the person engaged in such misrepresentation shall have his certificate suspended or cancelled after proper hearing.

Pim. - 058

SUBJECT: TUBERCULOSIS CERTIFICATE

Article 4477-12, Section 5, Vernon's Civil Statutes requires:

> "All school personnel, including teachers, clerical employees, supervisory personnel, bus drivers, personnel handling food and personnel performing janitorial services, shall be required to furnish the governing board of any public school in this state on or before September 1 of each year a certificate signed by a person licensed to practice medicine in this state, revealing that such school personnel have been examined for the disease of tuberculosis during a period of time not exceeding one hundred twenty (120) days prior to September 1 of each year, and revealing the results of such examination have been furnished the State Board of Health by the person performing the examination. No person shall be permitted to perform his or her duties in the absence of such certificate being furnished the governing board of the school.

Evidence of this requirement is checked for during accreditation visits by the Texas Education Agency. Such evidence should ideally be filed with each employees personnel records, or in a central location that allows for expeditious examination.

Before public school professional personnel may be issued contracts, assigned duties, or paid from any source of public funds, they must possess valid credentials either in the form of permanent or temporary teaching certificates, emergency teaching permits, or in the case of registered nurses and physicians, licenses to practice nursing or medicine in the State of Texas. This requirement for valid credentials includes substitute teachers as well as permanently assigned professional personnel. There is no certificate or licensing requirement for personnel assigned as teacher aides. Requirements for and the methods of issuing teaching certificates and emergency permits appear in Section 1 of this publication.

A valid certificate may be filed in the form of the original, the duplicate, or a photo process copy (see Procedure No. 3.0300), or a local certificate register may be devised and kept on hand at the local school district if such register provides for all information shown on the face of the certificate. If a local certificate register is used, the following provisions should be made for recording certificate information:

1. Name of the teacher.
2. Certificate number.
3. Type of certificate (professional, provisional, one year, temporary, etc.)
4. Dates and/or tenure of issuance.
5. Areas of specialization (elementary, high school, administrator, etc.)
6. Teaching fields (mathematics, language arts, etc.).
7. Signature of the person recording the certificate and the date recorded.

Although an emergency teaching permit may be recorded in a certificate register, the original permit and its renewals must be kept on file. The emergency permit is issued to the school district and not to the individual teacher.

For independent school districts of more than 150 scholastics evidence of certification is required only at the local level. Those independent districts having less than 150 scholastics and all common and rural high school districts must have certificates recorded with the county superintendent, and evidence of such certification is to be kept with other records of the teacher if they are located in a place other than the county superintendent's office.

Although teacher certification is available but not necessarily required for school nurses, there shall nevertheless be maintained on file receipts showing that a school nurse was registered with the Texas State Board of Nurse Examiners. Since some nurses desire to keep the original receipt, school districts are encouraged to retain a photo process copy. A nurse's registration expires annually on March 31, and it is necessary to retain two receipts on file to cover experience for a complete school year.

SUBJECT: CREDENTIALS OF THE SCHOOL PHYSICIAN

The same rules on certification that apply to a school nurse (Procedure No. 3.0720) generally apply to the school physician, except that receipts from the Texas State Board of Medical Examiners or other documentation must be kept on file indicating that the physician was licensed to practice medicine in Texas.

SUBJECT: CERTIFICATION OF SUBSTITUTE TEACHERS

The same general rules of teacher certification apply to all professional personnel, including substitute teachers. If it is necessary for a school district to employ substitute teachers that are not certificated, a list of such substitute teachers shall be submitted to the Texas Education Agency, Division of Teacher Certification, for approval. If at any time a person on the approved list ceases to be a substitute and becomes a regular teacher, the procedures pertaining to emergency teaching permits or teacher certification apply.

SUBJECT: DATES OF CERTIFICATE ISSUANCE

The old type teacher certificate usually indicates only the month and the year and the newer type of teacher certificate indicates the month, day, and year that the document was issued. Generally the certificate is recognized for the entire month in which it was issued. In the case of teachers recently graduated from college and employed in the public schools for the first time, the August issuance date on the face of the permanent life certificate may be after the August date of actual employment by a school district; in these instances employment for the month of August is considered to be covered by a valid certificate. Regardless of the specific date of issuance indicated on the Teaching Certificate, the individual is considered to have been covered by such certification for the entire month of the date of issuance as indicated on the record for certification purposes.

The issuance date on an emergency teaching permit is usually the beginning date of actual employment. This date may be retroactive for up to 60 days if necessary; however, employment during days prior to and subsequent to the dates shown on the face of the permit is illegal and may not be paid from public funds. Therefore, the dates shown on emergency permits must cover at least the days of actual employment.

Whenever a teacher changes certification status, converts from an emergency teaching permit to permanent teacher certification, the effective date is the day of permanent certificate issuance. If this date is during the school term, the teacher's salary for Foundation School Program purposes is changed effective at that time.

SUBJECT: TRANSCRIPTS OF EDUCATIONAL ATTAINMENT

Evidence of educational attainment for professional personnel consists of the official transcript from an accredited college or university. The official college transcript may also be used to document educational attainment of teacher aides. If a teacher aide has not attended a college or university, it is necessary to keep on file evidence of high school graduation or its equivalency; such evidence may consist of copies of the high school transcript, copy of a diploma or the GED certificate, or a letter or other evidence attesting to high school graduation.

For some types of professional units paid on the basis of a degree, approval from the Texas Education Agency is required in lieu of a college transcript. Trades and industries teachers do not in some instances have a bachelor's degree, and a letter or certificate of Texas Education Agency approval must be on file. The re-registration receipt from the Texas State Board of Nurse Examiners for non-degree registered nurses may be filed in lieu of an official college transcript for school nurses.

In order to be considered as an official college transcript, the following conditions must be met:

1. The transcript must bear the imprint of the college or university seal. If a photo process copy of the transcript is made, the seal must be visible.

2. The transcript must be signed by the registrar or other appropriate college or university official. If a photo process copy of the transcript is made, the signature must be visible.

3. The transcript must not indicate on its face that it is for student use only.

4. If the transcript consists of two or more pages, each page must be numbered or otherwise identified in some manner to the page or pages bearing the official college seal and signature.

Although there are no set requirements governing this matter, it is more generally acceptable to receive a transcript directly from the college or university rather than from the individual. Such a policy considerably reduces the chance for error and fraud.

SUBJECT: SICK LEAVE FOR PROFESSIONAL PERSONNEL

Beginning with the 1970-71 school year the Foundation School Program provides for sick leave of all professional personnel employed in Texas public schools. This provision does not apply to personel employed as teacher aides. In general, up to five days of sick leave per year may be provided, there is no limit on the number of days sick leave that may be accumulated over the years, and sick leave balances are transferable among Texas school districts.

If a school district has a sick leave policy in addition to the State sick leave program, this policy must provide that sick leave applicable to the State program be accumulated and used first. Local policy may provide for some types of absences (i.e. illness in immediate family, personal business, etc.) not allowable under policy for the State program, and therefore reasons for taking leave must be documented and positively accounted for. Sick leave policy and sick leave balances accumulated under local programs or from institutions other than a Texas public school district are not considered under the State sick leave program.

The teacher service record form is the document on which sick leave days for professional personnel are recorded. Beginning with the 1970-71 school year, this information is required on the service record for Texas public school service. Since teacher aides do not participate in the State sick leave program, the space provided on the service record form should indicate "Teacher Aide" instead of sick leave days. Sick leave days earned and used under local policy and with institutions other than Texas public school districts are not to be shown on the service record.

Sick leave information called for on the service record includes the balance from the prior year, number of days earned during the year, number of days used during the year, and the balance at the close of the year.

Days of sick leave are accumulated at the rate of no more than five per year and there is no limit on the number of days that may be accumulated by an individual. This balance must be transferred to another Texas public school district when the teacher changes employment, may only be accumulated as a result of professional employment in a Texas public school, and may only be reduced or cancelled whenever:

1. Days are used for allowable purposes during the term of employment in a Texas public school.

2. The teacher is not employed in a professional position in a Texas public school for three consecutive years.

3. Persons that leave military service creditable for teaching experience do not return to Texas public school professional employment within one year of release from active duty.

SUBJECT: DAYS OF SICK LEAVE EARNED DURING A YEAR

Although annual sick leave earned during a school year cannot exceed five days, the rate of annual accumulation may differ per each individual according to his/her program of assignment, percentage of the day employed, and number of days employed. Personnel employed for more than 190 days do not accumulate sick leave after their 190th day. All sick leave days are earned, accumulated, and recorded by half day increments per the following schedule.

Employed 100% of Day		
Number of Days Employed		Days
Regular	Migrant	Earned
0 - 9	0 - 9	-0-
10 - 29	10 - 24	½
30 - 49	25 - 39	1
50 - 69	40 - 54	1½
70 - 89	55 - 69	2
90 - 109	70 - 84	2½
110 - 129	85 - 99	3
130 - 149	100 - 114	3½
150 - 169	115 - 129	4
170 - 189	130 - 144	4½
190 +	145 +	5

Daily Employment for At Least 50% But Less than 100%		
Number of Days Employed		Days
Regular	Migrant	Earned
0 - 29	0 - 24	-0-
30 - 69	25 - 54	½
70 - 109	55 - 84	1
110 - 149	85 - 114	1½
150 - 189	115 - 144	2
190+	145+	2½

For professional personnel employed for at least 50% but for less than 100% of the day, no more than 2½ days sick leave may be accumulated during a year. Sick leave for part-time personnel cannot be earned, accumulated, and recorded for years prior to the 1974-75 school year.

SUBJECT: DAYS OF SICK LEAVE USED DURING A YEAR

Days of sick leave accumulated during prior years plus those days of sick leave that have been or will be accumulated during the current year of employment must be used whenever a professional person is absent from duty due to personal illness (including pregnancy) or death in his/her immediate family. Days of such sick leave must be recorded as used even though a substitute was not employed by the school district. If the school district has a local sick leave policy in addition to the State sick leave program, sick leave applicable to the State program must be taken first; reasons for leave taken must be recorded on a record similar to the one illustrated below. If there is no local sick leave policy in addition to the State program, supporting documentation must nevertheless be on file to support days of sick leave used. The form illustrated below is not mandatory and a school district may use other types of records to support sick leave taken if such records reflect adequate sick leave and substitute teacher information.

_____ School District

ABSENCE FROM DUTY REPORT

EMPLOYEE _____ _____
Name Campus

Cause of Absence: _____

_____

_____

_____

_____

_____

_____

Date(s) of Absence _____ Number of Days Absent _____

_____ _____
Signature of Attending Physician or Practitioner Signature of Teacher

Minimum Foundation Program	DAYS	Additional Leave Per District Policy:	DAYS
Sick Leave	___	Sick Leave	___
Death in Family	___	Personal Leave	___
Total Days	___	Emergency Leave	___
		Other	___
		Total Days	___

Name of Substitute(s) _____ Dates: _____

_____ _____

_____ _____

Comments: _____

_____

_____
Signature of Principal

Note: Each employee must submit an Absence from Duty Report immediately after returning to duty. A written statement from the attending physician or practitioner must be submitted for an absence of five (5) or more continuous work days. This statement should appear either on this form or be attached securely hereto.

(This form may be duplicated)

Regardless of the type of documentation that a school district uses to support the State sick leave program, data as listed below must be provided in the records. This documentation is used to support the teacher service record and reimbursement claims for substitute teachers; it is to be kept on file only in the recording school district.

1. Name of the employee, the name of the school district, and the name of the campus to which the employee was/is assigned.

2. Description of the cause of absence. Under the State sick leave program, days of sick leave may be used for the following purposes:

   . Absences due to illness, and other medical reasons personally concerning the employee, including visits to the dentist.

   . Absences due to maternity. At the option of the employee, maternity leave without pay and for which no reimbursement claim is made for substitutes by the school district, need not be considered as days used under the State sick leave program.

   . Death of the husband, wife, son, daughter, father, mother, brother, sister, grandchildren, grandparents, or other persons residing in the covered professional employee's household. Any of the above relationships may be either by consanguinity (blood relation) or affinity (marriage).

3. Dates of absence and the number of days absent. Sick leave must be used on the basis of one-half day or multiples thereof. Days taken because of death in the family or household are limited to not more than five days for each occurrence. If more than five consecutive workdays are taken because of personal illness of the employee, certification of such must be secured from a doctor duly registered and licensed under the Medical Practice Act of Texas, a licensed dentist, a licensed chiropractor or a licensed podiatrist; a member of the Christian Science Church may have his/her inability to report for duty attested to by a Christian Science Practitioner.

4. For school districts with local sick leave policy in addition to the State sick leave program, days absent under such local policy (those not applicable under the State program) must be clearly identified and recorded. There is no State policy limiting the amount of sick leave that may be granted under the local policy. Types of absences which may possibly be allowed under local policy but which may not be used under the State sick leave program include:

   . Sick leave days in excess of amounts that will be available under the State program to the employee at termination of his/her employment during the school year.

- Days taken for personal business, including illness in the family and death of persons other than those relations described previously.

- Days taken for death in the family in excess of five days for any one occurrance.

- Days of personal illness in excess of five consecutive work-days for which there is no proper certification.

5. Substitute teachers, dates of their employment, and the professional personnel substituted for must be clearly identified in the records. Substitutes for the regular program must be paid no less than $15 per day and substitutes for the extended day migrant program must be paid at least $20 per day. Minimum payment applies to all substitutes for professional personnel, regardless of the funding source from which salaries are paid, and adequate payroll records must be kept.

6. Sick leave supporting documentation must be signed by the employee and by the employee's immediate supervisor. The immediate supervisor for teachers is their principal; for professional personnel in the central administration office, the superintendent or an administrative assistant is the immediate supervisor; records of the superintendent must be signed by the president or secretary of the local board of school trustees, or for a superintendent of a common or rural high school district, the county superintendent.

SUBJECT: END-OF-YEAR SICK LEAVE BALANCES

The ending balances for professional personnel are determined as of the last day of employment during the school year. For twelve-month professional employees, the last day is usually August 31. The ending balance for a year is determined by taking the beginning balance for the year, adding days of sick leave earned, and subtracting days of sick leave used. Balances are always shown in increments of full or one-half days.

Since sick leave days accumulated under the State program are transferable between Texas public school districts, it is important that information be accurately recorded on the service record. The service record is the only document needed for determining sick leave balances by a Texas public school district employing a teacher that was previously employed by another Texas public school district. If the service record information for sick leave is incomplete, another service record must be secured from the sending school district. If the service record is incorrect only because of obvious mathematical errors in determining sick leave balances, the receiving school district may make the necessary corrections on the service record without contacting the sending district; in such instances the corrections should be initialed by personnel authorized to sign teacher service records in the receiving district.

SUBJECT: SICK LEAVE REIMBURSABLE BY THE STATE

Only those school districts receiving payments for transportation, salaries, and operations under the Foundation School Program Act are eligible to be reimbursed for substitute teacher salaries. Such reimbursement is made on the same percentage as applies to the school district during the school year for which payment is made. Substitute salaries for those classroom teachers and other certain professional personnel appearing on the Roster of Professional Personnel as Foundation units are eligible for reimbursement. Substitutes may not be reimbursed for excess units (non-Foundation) or for any unit for which there was no substitute employed. Types of personnel that do not qualify for reimbursement are:

1. Teacher aides.
2. Non-Foundation (excess) units.
3. Units for which substitutes were not employed. This automatically includes--
   .Superintendents
   .Full-time principals
   .Supervisors and counselors
   .Nurses and physicians
   .Visiting teachers
4. Substitutes that are paid less than the minimum daily salary of $15 (regular program) or $20 (extended day migrant program). Salaries of substitutes employed for less than a full day (i.e., one-half day) are paid and reimbursed accordingly.

Reimbursement for substitutes is made only for substitutions made during those days covered by leave allowable under the State program. For example, if a teacher had ten days of sick leave available during a year and was absent for more than these ten days because of personal illness, the first ten days absent must be charged against the State program. If substitutes were employed for only five of these ten days, only five days may be claimed for reimbursement, even though substitutes for that teacher may have been employed subsequent to days for which there were no sick leave days available under the State program. State Board of Education administrative procedures are clear that days available and applicable to the State sick leave program must be used first.

Texas public schools must report assignments of professional personnel and teacher aides annually to the Texas Education Agency. In general, the types of personnel for which individual assignments are to be reported include:

1. Instructional personnel which consist of classroom teachers, special education teachers, vocational teachers, itinerant teachers, visiting teachers, and other professional personnel involved directly with teaching pupils.

2. Administrative personnel which consist of superintendents, principals, administrative assistants in the central office, and other persons involved in administration of programs. This category does not involve personnel employed in secretarial, clerical or other supportive areas.

3. Other professional personnel which includes instructional supervisors, counselors, school nurses, librarians, etc., that may not necessarily be directly involved in classroom instruction or general administration.

4. Teacher aide personnel assigned to assist professional personnel in the educational, secretarial, or clerical process. This does not include janitorial or custodial personnel, bus drivers, cooks, etc.

As previously discussed in Procedure No. 3.0230, personnel assignments are coded and recorded in accordance with instructions that appear in Section 2.030, 2.031, 2.032, and 2.033 of TEA Bulletin 742, School District Data Submission to the Texas Education Agency.

SUBJECT: RECORDS IN SUPPORT OF PERSONNEL ASSIGNMENTS

There are no set rules regarding the type of records to support personnel assignments in the local schools. In general, there must be some type of evidence filed that indicates the place of assignment and the types of duties assigned. This evidence may be in the form of an assignment information sheet filed in the individual personnel record folder or in a directory published by the local school district. Other records that relate to personnel assignments include:

1. Teacher's contracts or school board minutes.
2. Absence from duty (sick leave) reports.
3. Teaching schedules.
4. Payroll records.
5. Sign-in and sign-out sheets.
6. Teacher's service record (required beginning 1974-75).

SUBJECT: GENERAL RULES REGARDING ACTUAL DUTIES

Professional personnel must be certificated or otherwise licensed or approved to perform the type of duties in which they are actually assigned. In general, professional personnel must be certificated in the area of specialization in which they are actually employed, must be paid at least the minimum salary specified in the "Texas State Public Education Compensation Plan-Minimum Foundation Salary" regardless of the funding source used to pay their salaries, and must be employed in a bonafide instructional, supervisory, administrative, or other professional position. Teacher aides must actually be employed as such, must be paid accordingly, and must not be assigned responsibilities normally expected of professional personnel.

Requirements related to specific types of assignments are listed below. Some of these requirements pertain directly to funding of personnel by the State, other requirements affect only accreditation, and some affect both finance and accreditation. Therefore, it is very important that the following rules be observed in assigning duties to personnel in the Texas Public Schools.

1. Superintendents must be certificated with an area of specialization either as "Administrator" or "Superintendent". Although in many of the smaller school districts the superintendent may be assigned to teach one, two, or three classes, major duties must be those expected of the chief local school administrator (refer to Accreditation Principal VII, Standard 7).

2. Administrative assistants (assistant superintendent) employed full-time as such must hold vaild teaching certificates with an administrator's endorsement. This includes those program administrators paid from Federal funding sources. In other full-time administrative positions of a specialized nature for which there are no certification requirements (business manager, tax assessor-collector, personnel director, attendance accounting director, etc.), personnel so assigned must meet minimum requirements listed in the Texas Education Code, Section 16.056(b).

3. Principal units must be assigned to a campus and must actually be performing duties expected of a principal.

   . Full-time principals must be certificated with an area of specialization of "Principal" or "Administrator."

   . Part-time principals must have some type of administrative responsibility on the campus assigned. Unless a part-time principal was performing such duties on the campus of assignment during the 1970-71 school year, a certificate endorsement of "Principal" or "Administrator" is needed if the actual administrative duties are 50% or more of the day. If a part-time principal's administrative duties are less than 50% of the day, only a valid elementary or secondary certificate (depending upon the level of the campus assigned) is needed.

4. Non-teaching professional units must actually be employed as such and must possess valid credentials in areas assigned. Types of non-teaching professional units include:

   . Visiting teachers.
   . Librarians.
   . School nurse (must be registered).
   . School physicians (must be licensed).

5. Supervisors and counselors must actually perform duties as such and must be certificated accordingly.

6. Special education and vocational education units allocated under the Foundation School Program must actually perform duties as such and must be certificated or approved accordingly. A homebound special education unit needs only a permanent certificate at the appropriate level and does not necessarily need a special education certificate for the physically handicapped; teachers of more than two homebound students must have completed at least six semester hours in special education course work, which consists of the survey course for exceptional children and a course related to teaching the orthopedically handicapped.

7. Professional classroom teacher units must be certificated or have emergency permits on the level for which they are assigned.

   . Kindergarten teachers must have a valid elementary certificate or permit with a kindergarten endorsement.

   . Teachers with elementary certification or permits may be assigned to grades one through eight, and if in the junior high, grade 9.

   . Teachers with secondary certification or permits may be assigned to grades seven through twelve.

   . For accreditation purposes--

   (1) An assignment in grades 7 and 8 in a self-contained organization may be with a secondary certificate if the teacher has 12 semester hours of elementary education.

   (2) An assignment in grades 7, 8 and grade 9 if in a junior high or middle school in a departmentalized organization may be with an elementary certificate if the teacher has completed the required number of semester hours in the subject taught.

(3) A teacher holding only an elementary certificate may be assigned to teach high school pupils on a secondary campus without the requirement of an emergency permit, provided the level of instruction is comparable to that given in the elementary grades. In such cases, course outlines and lesson plans must be submitted to the Accreditation Division of the Texas Education Agency for review.

. Classroom assignments must be compatible with certification and accreditation requirements. Beginning with the 1971-72 school year, teachers must teach only subjects within their fields if they teach those subjects for more than one class period per day. To teach outside the field for only one period per day requires 12 semester hours in the subject. Requirements for teaching fields appear in Bulletin 560 Revised, Principles and Standards or Accrediting Elementary and Secondary Schools, Principle VII. Secondary certificates issued after September 1, 1966, have teaching fields shown on the face of the certificate. Semester-hour requirements of Principle VII vary according to the year in which the teacher taught a specific subject and may not necessarily apply to teachers with permanent certificates issued during or prior to 1955 whenever the certificate specifies that the teacher is entitled to teach all subjects and grades for life.

8. Teacher aides must be employed as such and must at least be paid as an aide in accordance with the "Texas State Public Education Compensation Plan-Minimum Foundation Salary", regardless of the funding source used to pay salaries. There is no certification required of teacher aides although persons so employed must meet requirements of the Texas Education Code, Section 16.056(b). In general, aides are employed to assist and not to replace professional personnel and may not perform duties expected of professional personnel, even if the person employed as an aide is certificated.

SUBJECT: NONALLOWABLE ASSIGNMENTS

Assignments of personnel in the Texas public schools must be made with great care as the amount of funds and the accreditation status of a school district are affected on the basis thereof. The following assignments are considered to be nonallowable and are questioned whenever disclosed by audit or accreditation examination:

1. Assignments of professional personnel outside their areas of specialization without benefit of emergency permits. In the case of classroom teacher units this will possibly affect the accreditation status of the school district. For other types of State and Federally funded units, accreditation and finance are affected, and the school district may be subject to the loss of funds.

2. Assignments of classroom teacher units in more than one daily subject outside their teaching fields without benefit of emergency teaching or temporary assignment permits. This may have an effect on determining the accreditation status of the school district.

3. Assignments of principal units to other than pricipals of school campuses (i.e., central administration building, head coach, athletic director, etc.). This may affect school finance for schools under the Foundation School Program, and it may be necessary to adjust funds. All Foundation principal units must be reported to the Texas Education Agency and assigned to the campus on which they are reported.

4. Assignments of aides to actual duties of professional personnel. Assignment of aides to professional duties is nonallowable and there are possible financial adjustments and loss of school accreditation in such instances.

5. Assignments to professional personnel, and teacher aides for which salaries are less than those specified in the "Texas State Public Education Compensation Plan-Minimum Foundation Salary", regardless of the source of funds (local, State, Federal) from which salaries are paid. School districts failing to pay the minimum salary are not eligible for participation under the Foundation School Program Act and accreditation by the Texas Education Agency. This provision includes the minimum salaries of substitute teachers as well as regular teachers. Teachers, aides, and substitute teachers employed less than 100% of the day should receive at least minimum salaries prorated accordingly.

6. Assignments of non-certificated persons to positions requiring certification. It is illegal to employ and pay salaries to professional units until such units have submitted evidence of certification or until emergency teaching permits have been appropriately applied for. For personnel employed as school business officials (i.e., business manager, accountant, tax assessor-collector), there are no requirements for certification, and such personnel may be employed and paid by a public school district if requirements in the Texas Education Code, Section 16.056(b), are met.

SUBJECT: TEACHER PREPARATION AND PLANNING TIME

Section 13.902 of the Texas Education Code provides for teacher preparation and planning time and must therefore be taken into consideration whenever daily teaching assignments are made. This section of the law is the basis for State Board of Education policy which provides:

1. That the school day for full-time teachers shall not be less than seven hours, including intermissions and recesses, and that each teacher in the public schools of Texas who is actively engaged in the instruction of children shall have at least one period of not less than forty-five consecutive minutes within the seven hour scheduled school day for planning and preparation.

2. That during the preparation and planning period the teacher shall be completely free from regular teaching duties and not be given extra assignments such as supervision of the school lunchroom, playground duty, or supervision of bus students whose instructional day ends prior to the time that the school buses they ride depart from the school campus.

As previously mentioned in Procedure No. 3.0230 of this publication, Consolidated Personnel Codes, commonly referred to as the RMS 300, are published annually by the Texas Education Agency. These codes appear in Section 3.010 of TEA Bulletin 742, School District Data Submission to the Texas Education Agency. The purpose of the RMS 300 is to show relationships between codes used for professional personnel assignments, certification areas of specialization and teaching fields, accreditation policy, professional status on the Roster of Professional Personnel, and function-object codes prescribed in Bulletin 679, Financial Accounting Manual, for payroll and fiscal accounting purposes.

School districts are advised that the RMS 300 is excellent for use as a guide in determining the allowability of assignments of professional personnel and teacher aides. However, the guide is not all inclusive and cannot be used solely for the purpose of determining professional status on the Roster of Professional Personnel, and in some instances for fiscal accounting purposes. Professional status includes codes for various funding purposes that are not indicated on the RMS 300, and it is a must to utilize only those current coding instructions published annually for completion of the Roster of Professional Personnel and changes thereto. These instructions appear in Section 2.052, TEA Bulletin 742, School District Data Submission to the Texas Education Agency.

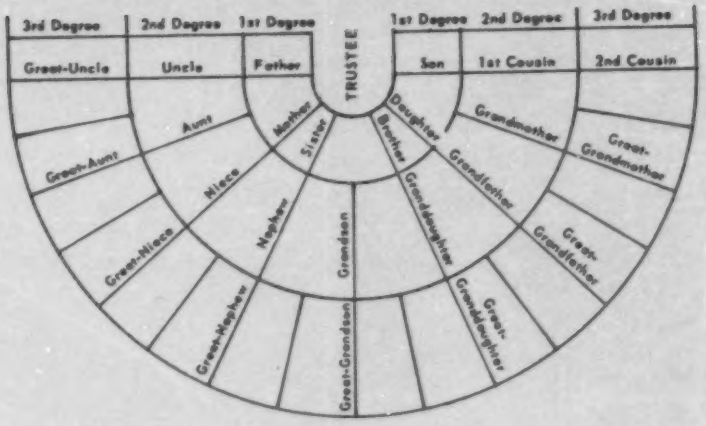
SUBJECT: DEVELOPMENTAL LEAVES OF ABSENCE

General provisions of the Texas Education Code, Section 21.910 provides for developmental leaves of absence of professional employees of Texas public schools. The governing board of a school district may grant a developmental leave of absence for study, research, travel, or other suitable purposes for a teacher who has served in the school district for at least five consecutive years. State funds are not provided to school districts that desire to initiate and maintain developmental leave programs.

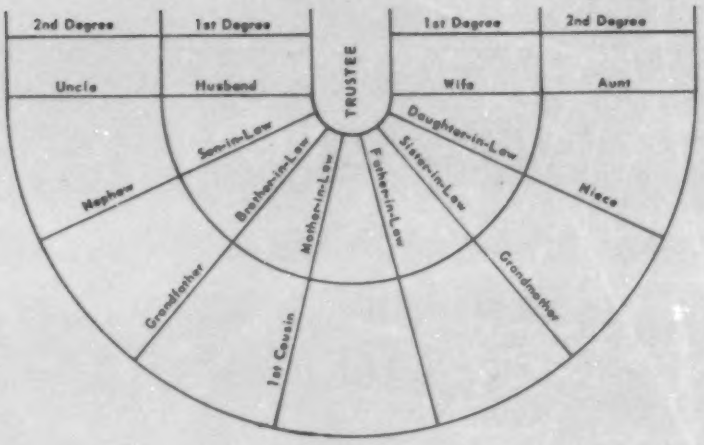
It is illegal for a Texas public school to employ within the third degree by consanguinity (blood relation) or within the second degree by affinity (marriage) a relative of a member of that school's board of trustees. The exception is that a school employee that was employed two or more years prior to the time that a relative was elected to the board is not considered to be in violation of the nepotism law. The nepotism law applies only to relatives of an elected or appointed trustee or board member and not to another school employee which includes the superintendent and other professional personnel. The nepotism chart defined in the law (Article 432, Penal Code) is presented below.

NEPOTISM CHART

Consanguinity (Blood Relatives)



Affinity (Marriage – Blood relatives of mate)



SUBJECT: PARTICIPATION IN TEACHER RETIREMENT

Personnel employed as professional and auxiliary employees of Texas public school districts are members of the Teacher Retirement System of Texas as a condition of employment. Exceptions to this are employees who signed waivers in 1937, and new employees more than 60 years of age who do not desire membership. Provisions for teacher retirement appear in Chapter 3 of the Texas Education Code.

Criteria for determining years of service for teacher retirement and the criteria for determining years of service for salary increment purposes under the Foundation School Program are not necessarily the same and must not be confused by local school administrators. Since auxiliary employees participate in the teacher retirement system and service as such is not recognized for Foundation School Program purposes, participation in teacher retirement <u>is not</u> a criterian to be used in determining salary increments for teaching or teacher aide pay purposes.

SUBJECT: CRITERIA FOR DETERMINING YEARS OF SERVICE FOR THE FOUNDATION SCHOOL PROGRAM

Before a year of service accrued by a person may be counted for salary increment purposes under the Foundation School Program Act, certain criteria set by State Board of Education administrative procedures and in some instances by the law must be met. Evidence that must be present and taken into consideration in determining an acceptable year of experience includes:

1. The type of school, institution, or entity in which service was rendered.

2. Whether service was full or part-time.

3. The nature of the actual assignment.

4. The amount of time employed during the year.

5. The type credentials held at the time of Texas public school professional employment.

In most cases the criteria listed above are supported by the Teacher Service Record form. In some instances, however, additional documents or evidence in support of the service record is needed. Specific criteria related to years of service and procedures or policies related to such are listed in the following paragraphs of this publication. Public school administrators working with and reporting data on professional personnel and teacher aides should be familiar with these criteria.

SUBJECT: GENERAL POLICY ON YEARS OF SERVICE

Service must have been as a full-time professional employee or teacher aide for at least 90 days with an acceptable school, institution, or other entity; or as a part-time professional employee, or teacher aide for at least 50% of the day for at least 180 days in elementary or secondary education programs with a Texas public school. No more than one year of service may be counted by a person during any one school year, and there is no requirement that such service during a school year be consecutive. For the purpose of this policy:

1. Full-time is defined as employment for 100% of the normal work day of the school or other institution in which employed, on a basis comparable to other full-time employees.

2. Part-time is defined as employment for less than 100% of the normal work day of the school or other institution in which employed.

3. Definition of 90 days of employment varies depending upon the school year employed and the type of service--

   .For the 1971-72 and prior years, 90 days of employment may consist of and be shown on the service record as "4½ months", as "one full semester", as "three six-week reporting periods", as "two nine-week reporting periods", or as "90 days".

   .For the 1972-73 and subsequent years, 90 days of employment must have been in actual instruction and in-service training.

   .For the 1973-74 and prior years, service of less than 180 days (or nine months) on the service record must show beginning and ending dates.

   .Beginning with the 1974-75 school year, the service record must show beginning and ending dates of employment regardless of the number of days employed.

   .For all years of acceptable military service, at least four and one-half calendar months of active duty must have been served within the school year (September 1 to August 31) before such service may be claimed.

Years of service in the extended day migrant school program are determined as follows:

1. Extended day migrant school programs in operation during and prior to the 1970-71 school year were required to operate for at least 131 days of instruction. A total of at least 65½ days of full-time service constitutes a year of service. Part-time service for at least 50% of the day for at least 131 days constitutes a year of service which may be claimed beginning with the 1974-75 school year.

2. Extended day migrant school programs in operation during and subsequent to the 1971-72 school year were/are required to operate for at least 145 days (135 days of instruction plus 10 days in-service). A total of at least 72½ days of full-time service constitutes a year of service. Part-time service for at least 50% of the day for at least 145 days constitutes a year of service which may be claimed beginning with the 1974-75 school year.

3. The service record for all extended day migrant school service must show beginning and ending dates and "MIG-PROG" should be indicated above the name of the school district.

Service must have been with an acceptable school, institution, or other entity before it may qualify to be counted for salary increment purposes under the Foundation School Program. Such entities and policies concerning each are as follows:

- Public elementary and secondary schools operated and located within any of the fifty states of the United States of America, or within the boundaries of any of its territorial possessions.

  .Professional employment in a Texas public school must have been with valid certification or emergency teaching permit, if required. Only service as a professional employee may be counted for salary increment purposes as such.

  .Years during and subsequent to 1970-71 may be counted for salary increment purposes for teacher aides. Only service as a teacher aide may be counted for salary increment purposes as such.

  .Part-time service for at least 50% of the day for at least 180 days is recognized for salary increment purposes only if such service was in a Texas Public School at the secondary or elementary (grades K-12) levels of education.

- Service with the military forces of the United States of America may be counted for salary increment purposes if the following conditions are met--

  .The person was employed full-time in a professional capacity by a school or other institution in which service is recognized for salary increment purposes, within twelve months of entry into active duty.

  .Evidence (DD Form 214 or other official discharge papers) is filed with the teacher service record showing--

  (1) That military service was in the capacity of an enlisted man/woman and/or commissioned officer.

  (2) That release or separation from active duty was under honorable conditions.

  (3) Inclusive dates of entry and release from active duty.

  .The person claiming military service was on active duty during the periods September 1, 1940 through August 31, 1947 or September 1, 1950 through August 31, 1954, or for other periods if--

  (1) The military service was as a result of involuntary induction into active duty.

  (2) The military service was a result of voluntary entry into active duty for the first time for the individual, and such initial period of voluntary military service claimed as years of service for teacher salary increments does not exceed four years.

. Public colleges or universities in the United States of America or its territorial possessions as a full-time professional employee, if the institution is accredited by a recognized State or regional accrediting agency. All college experience must be recorded on the teacher service record, and a supporting letter or form similar to the one illustrated below must be attached. It is the responsibility of the employing school district to secure verification of college or university experience.

Name of Teacher _____

We find it necessary to verify the employment status of the above named teacher during the school year(s)_____. This information is needed to determine whether the experience accrued may be counted for salary purposes under our current teacher salary law. To assist us in our evaluation, we request that you answer the following questions relative to this teacher's employment:

1. What were the beginning and ending dates of employment? Please show each year on separate lines. Our public school year is from September 1 to August 31.

	From: (Month)	(Day)	(Year)	To (Month)	(Day)	(Year)

2. Was teaching on a full-time basis as an instructor and not as a student assistant or teaching fellow? _____ (Yes or No)

3. Did the schedule of classes taught constitute the normal teaching load required of all full-time instructors? _____ (Yes or No)

4. Was the salary paid equal to that of other full-time instructors with equivalent training and experience? _____ (Yes or No)

We will appreciate your cooperation in completing this form and returning it at your earliest convenience.

Very truly yours,

_____
School

_____
Signature of College Official

_____
Title

. Private schools, parochial schools, and private college or university service in the United States of America, its territorial possessions, or in foreign countries is recognized for salary increment purposes if--

.Service was as a full-time professional employee, and in the case of colleges or universities, verified as such in the same manner or on the same type of form as illustrated previously herein for domestic colleges and universities.

.The school or institution was accredited by a recognized state or regional accrediting agency in the United States. It is the responsibility of the employing school district to have evidence of accreditation status of such private schools or institutions. An example of a form that may be used for verification of accreditation status is shown in the illustration below.

Name of Institution _____

Name of Teacher _____

We find it necessary to verify the status of the above named institution for the school year(s) _____. The teacher named above has indicated employment with this institution during the year(s) shown, and the information requested below is needed to determine whether the experience accrued may be counted under our current teacher salary law. To assist us in our evaluation, we request that you answer the following questions:

1. Was the institution during the year(s) indicated above operated by or under the jurisdiction of a governmental unit in the State or country in which it was located?

   _____ (Yes or No)

   If yes, the name of the governmental unit was _____.

2. Was the institution during the year(s) indicated above accredited or approved by a United States regional accrediting agency or by the State or national government in which the institution was located?

   _____ (Yes or No)

   If yes, the name of the accrediting or approval agency or governmental unit was _____, and the effective date of such accreditation or approval was _____.

We will appreciate your cooperation in completing this form and returning it at your earliest convenience.

Very truly yours,

_____
Signature of Person Completing Form

_____
Title

.In states or territories where departments of education approve or license non-public elementary and secondary schools based on the same standards required for the state or territorial public schools, such terminology as "approved" or "licensed" is construed to be synonymous with the term "accredited". In states that have no provisions for accrediting, licensing, or approving non-public elementary schools, service in such is acceptable if the teacher was certificated at the time by the state in which the school is located.

. Nonpublic school special education contract service may be counted for salary increment purposes if--

.The contracted school or institution was approved to operate as such by the Texas Education Agency. A list of such contract schools or institutions is maintained by the Department of Special Education, Texas Education Agency, and this list has been distributed annually to all public school districts since the 1970-71 school year.

.The person was employed full-time in a special education professional capacity and was appropriately certificated with a special education area of specialization by the State of Texas.

. Foreign public school and college or university service may be counted for salary increment purposes if--

.The person was employed full-time in a professional capacity.

.The school, college or university was accredited or approved by a recognized agency of the foreign country and/or by a recognized accrediting agency of the United States of America. Verification of nonpublic school accrediting status as previously illustrated herein must be secured and attached to the service record; also, if the service was at a college or university, verification of full-time faculty status must likewise be attached to the teacher service record. Verification of accreditation status and full-time faculty status is the responsibility of the employing school district.

. Veteran's vocational school service as a full-time instructor or coordinator is allowable if--

.Service was during the period of July 1, 1946 through June 30, 1955 and under the jurisdiction of the Texas Education Agency. This service may be verified from salary schedules filed with the Audit Division, Texas Education Agency.

.Service was at a veteran's vocational school operated by a Texas county board of school trustees subsequent to June 30, 1955, under the jurisdiction of the Veterans Administration.

- Texas Education Agency service performed full-time as a member of the professional staff is allowable. This includes service with the Division of Vocational Rehabilitation prior to September 1, 1969. Service records for this service must be signed either by the Commissioner of Education, a Deputy Commissioner of Education, or the Director of Personnel Administration and Staff Development.

- Service in overseas schools for United States dependents as a full-time teacher is allowable. These schools are operated by the United States government for military dependents and dependents of personnel assigned to an embassy, consulate, etc., and such schools need not be accredited by a United States regional accrediting agency. In many instances schools are identified by means of an APO number which may be shown on the service record.

- Service in Texas regional education service centers is allowable if--

  .The service was rendered in a full-time professional capacity as an employee of the education service center.

  .The person held valid Texas teacher certification at the time of employment.

- Service in the Windham Schools, Texas Department of Corrections, is allowable if--

  .The service was rendered in a full-time capacity as a teacher or administrator allocated to the Windham Schools through the Foundation School Program, or through other educational programs administered in the Windom Schools.

  .The person held valid Texas teacher certification at the time of assignment, including a full-time teacher involved in a program of adult education.

- Service in schools of the Bureau of Indian Affairs, United States Department of the Interior in a full-time professional capacity is allowable for Foundation School Program salary increment purposes.

- Service in the United States service academies is allowable if the person was a full-time faculty member. Verification of faculty status, as illustrated for other college or university service, must be attached to the teacher service record. The service academies consist of the--

  .Air Force Academy, Colorado Springs, Colorado.

  .Coast Guard Academy, New London, Connecticut.

  .Military Academy, West Point, New York.

.Naval Academy, Annapolis, Maryland

.Merchant Marine Academy, Kings Point, New York.

. Service with the Job Corps is allowable if the person was employed as a full-time teacher or administrator and held valid Texas teaching credentials at the time of employment.

. Reserve Officer Training Corps (ROTC) Programs conducted by Local School Districts. Provided the instructor is certificated and employed on a full-time basis, his experience can be accepted for increment purposes beginning with the 1975-76 school year and subsequently thereafterwards.

SUBJECT: SERVICE NOT ALLOWABLE FOR SALARY INCREMENT PURPOSES

As a general rule of thumb service with types of entities other than those listed in Procedure No. 3.1320, and service not meeting those criteria previously specified, is not allowable to be counted as salary increments for Foundation School Program purposes. Types of service which are questionable and normally not acceptable for determining years for salary increment purposes appear in the following list:

1. Non-certificated service in a professional capacity with--

   .A Texas public school.

   .The Job Corps.

   .WindhamSchools, Texas Department of Corrections.

   .A Texas regional education service center.

   .A special education contract school approved by the Texas Education Agency.

2. Service with non-educational institutions or agencies of a local, state, or the Federal government, including--

   .Civilian instruction at a military installation.

   .Peace Corps volunteer.

   .National Youth Corps.

   .Civil Service Commission or Texas Merit System Counsil.

   .County or home demonstration agent (Agriculture Extension Service).

3. Service with an unaccredited or unapproved private school, parochial school, private college or university, or other institution, including--

   .A school nursery.

   .Hospital, clinical, or private practice of a nurse or physician.

   .Proprietary school, commercial college, etc.

   .Professional association (i.e., Texas State Teacher's Association, Texas Association of School Administrators, etc.).

4. Assignment in a Texas public school for less than 50% of the day or for less than 100% of the day for fewer than 180 days during the year. Part-time service in any Texas public school for which percentage of the day employed and/or the number of days employed are not shown on the service record.

5. Part-time service in any institution other than a Texas public school at the elementary and secondary level of education (grades K-12) and other part-time service, such as--

   . Service with the National Teacher Corps (This excludes non-team teaching leaders assigned on a full-time basis).

   . Adult migrant education service.

   . Teaching under a fellowship with a college or university.

   . Service as a substitute teacher. The term "substitute teacher" for this purpose is defined as a teacher who works on call, does not have a full-time assignment, and generally receives a salary of lesser amount than that paid a regular member of the teaching staff.

6. Any service in a non-teaching, non-administrative, or non-teacher aide capacity, including assignments as--

   . A bus driver.

   . A licensed vocational nurse (all school nurses must be registered).

   . A school custodian or cook.

7. Service in a school as an adult education instructor for which no Texas teacher certification is required. In most cases teaching in such a capacity is considered as part-time employment outside of the normal school day. Exceptions to this are those full-time certificated adult education teachers assigned in the Windham Schools, Texas Department of Corrections, for which service as such is allowable to be counted for salary increment purposes.

8. Service as a teacher aide prior to the 1970-71 school year is not allowable as service for teacher aides. Non-teacher aide service (i.e., service as a certified teacher) may not be counted for salary increments as a teacher aide.

9. Service as a teacher aide may not be used to determine years of service as a teacher or other professional position, even though the person employed as an aide may have been certificated at the time.

10. Service not properly documented on the teacher service record or a letter containing all of the data required on the service record may not be counted as salary increments for Foundation School Program purposes. Also, if other documentation required in support of the service is missing (i.e., verification of college faculty status, verification of school accreditation status, military papers, etc.), years for such should not be counted.

11. Years of career service in the United States armed forces generally are not allowable to be counted as years of service for salary increment purposes. If a person chooses to voluntarily reenlist in active duty as an alternative to accepting release from active duty, such time of reenlistment is normally considered as "career" service.

    . Years of initial voluntary entry into active duty exceeding four years are not to be counted as years of service for Foundation School Program salary increments. For example, a teacher, within twelve months of teaching in a school, voluntarily joins the military service for the first time and remains voluntarily for five years. At the end of five years this person is honorably released from active duty and returns to teaching. In this case he/she may claim only four years of military service for increment purposes.

    . Years of service in the United States armed forces on a voluntary basis for a second term of active duties may not be allowed for salary increment purposes. For example, a person left active teaching duties and voluntarily or involuntarily entered the military services for four years. Upon honorable release from active duty this person began to teach again in the public schools, and he/she received four years credit for military service. If at such time this teacher voluntarily leaves teaching to reenter military service, the second term of active duty cannot be counted for increment purposes should the person be employed again as a teacher. If such person is involuntarily recalled to active duty, time spent in the military may be counted for salary increment purposes.

    . Teachers who elected to remain in military service at any time after August 31, 1947 who so served continuously thereafter, including any part or all of the period between September 1, 1950 and August 31, 1954 and/or the period between September 1, 1964 and the end of the war in Vietnam and who later return to teaching may not receive teaching experience credit for military service in any part of these two periods.

    . Years of military service "paid in" for teacher retirement purposes may or may not count for salary increment purposes under the Foundation School Program. The extent of participation or the lack of participation in the teacher retirement system is not to be used as criteria for determining increments for Foundation School Program salary purposes.

SUBJECT: FOUNDATION SCHOOL PROGRAM DEGREE STATUS

Generally speaking, degree status is determined on the basis of educational attainment of professional personnel or by the type of assignment of a person employed in a Texas public school. For the majority of professional personnel, degree status is indicated directly on the face of official college transcripts. In other cases, degree status is determined on the basis of a license (school nurse), by approval from the Texas Education Agency (some vocational trades and industries teachers), by the nature of the assignment in relationship to the Foundation School Program minimum salary schedule (teacher aide), or in some instances are defined in the law itself.

For purposes of administering the Foundation School Program, the following degree status' are used:

.Non-degree (including Associate of Arts Degree, "AA", issued by some junior colleges)--
(1)Used to report the status of all teacher aides.
(2)For teachers with less than an earned bachelor's degree from an accredited college or university.

.Bachelor's degree--
(1)Earned degree conferred by an accredited college or university.
(2)For a non-degree school nurse registered with the Texas State Board of Nurse Examiners.
(3)For non-degree vocational trades and industries teachers approved by the Texas Education Agency.

.Master's degree--
(1)Earned degree conferred by an accredited college or university.
(2)Either a bachelor of law (LL.B) or doctor of jurisprudence (J.D.) degree, which are defined so by law for teacher pay purposes.
(3)Bachelor of Science in Library Science (B.S. in L.S.) for professional personnel performing actual duties as school librarians; this includes a five year college program in which the school librarian has an earned bachelor's degree plus thirty semester hours of credits in library science from accredited colleges or universities. These personnel are considered only with a bachelor's degree status if they are assigned in professional positions other than as school librarians.

.Doctor's degree--
(1)Paid on the Foundation School Program minimum salary schedule on the same basis as a master's degree.
(2)Earned degree from an accredited college or university.

Degree status for Foundation School Program purposes is determined as follows:

1. Non-degree school nurses must have a receipt of registration with the Texas State Board of Nurse Examiners on file. This degree status requirement is synonymous with the certification requirements for a school nurse, as the same receipt suffices to some extent for both educational attainment and certification purposes. If a school nurse is paid on the basis of a degree, the same requirements pertaining to degree status documentation for other professional personnel must be met.

2. Non-degree vocational trades and industries teachers approved by the Texas Education Agency are paid on the basis of a bachelor's degree. The approval letter from the Texas Education Agency and evidence of teacher certification must be on file with other records of the teacher.

3. Teacher aides are considered as non-degree for salary purposes under the Foundation School Program.

4. Professional personnel, other than those listed above, must have on file in the school district of employment an official transcript (showing the seal and official signature) from an accredited college or university indicating that the highest degree claimed for salary purposes was earned, actually conferred and the date of conferment.

   .Confirmation of accreditation status of the college or university from which a degree is conferred is the responsibility of the employing school district. A letter from the college or university, or from the appropriate state department of education, or from a regional accrediting agency is sufficient to support accreditation status of a college or university if such accreditation status is unknown by the employing school district.

   .If requirements for a degree are completed but the degree will not be conferred until the conclusion of a commencement exercise, a notation of such on the college transcript or a letter from the college will offer temportary evidence of a degree conferred. Whenever the degree is actually conferred, an official transcript stating such must be secured by the employing school district as soon as practical.

   .For degree changes of a professional employee during the course of the school term, change in salary status (if any) is effective as of the date that requirements for the degree were completed.

.Prior to 1973 degrees conferred from institutions outside the United States may have been evaluated by the Office of Comparative Research Branch, Bureau of Records, United States Office of Education. It was the responsibility of the employing school district to secure and file this evaluation, and degrees evaluated as equivalent to degrees offered in the United States were so recognized by the Texas Education Agency. This service was discontinued by the United States Office of Education in 1973.

The Credentials Evaluation Service, Post Office Box 24679, Los Angeles, California 90024, is a private organization that evaluates foreign transcripts on a fee basis. Although this organization is not associated with nor endorsed by the Texas Education Agency, the results of their service may provide a means for evaluating foreign transcripts. The Texas Education Agency will take into consideration the findings of this service for certification and degree status purposes; however, their findings are not binding on decisions that may be made by the Agency.

SUBJECT: DEGREES NOT RECOGNIZED FOR FOUNDATION SCHOOL PROGRAM PURPOSES

The following types of degrees are not acceptable for determining salary increments under the Foundation School Program:

1. Honorary or unearned degrees.

2. Degrees conferred from unaccredited institutions. Some colleges are accredited only at the baccalaurreate level and the master's degree conferred is not acceptable. Such an institution is the Vander Cook College of Music, Chicago, Illinois, from which the Master of Music Degree conferred after September 1, 1961, is not acceptable.

3. Degrees not shown as being conferred on the official college transcript or other acceptable documentation by the college or university. Terminology such as "degree sought" is not acceptable for determining degree status. The terms "degree obtained" or "degree granted" will suffice in lieu of the term "degree conferred."

SUBJECT: AUDITS BY THE TEXAS EDUCATION AGENCY

The staff of the Division of Audits, acting for the Commissioner of Education, has responsibility for performing periodic audit of allocations of the Foundation School Program Act and other programs funded or operated by the Texas Education Agency. Under the law, Section 16.255, Texas Education Code, the director of school audits has the authority for reporting deliberate falsification of records or violations to the Foundation School Program Act directly to the State Board of Education and to the State Auditor.

SUBJECT: AUDIT ASSIGNMENTS POLICY

In general, the policy of the Texas Education Agency is to audit records of professional personnel and teacher aides in a public school district at least once every five years. These audits are normally performed in conjunction with an examination of pupil attendance records, and there is no set pattern as to when or how often a particular school district may be audited. School districts are usually visited by Texas Education Agency auditors without prior notification.

SUBJECT: SCOPE OF THE AUDIT

The auditor's examination of personnel records is made primarily for the purpose of determining compliance with those laws and policies as explained in this publication and for determining the accuracy of information reported to the Texas Education Agency. The examination will be to the extent that the auditor has satisfied himself/herself as to compliance with laws and State Board of Education administrative procedures and with the fairness of the data appearing on required reports.

Ideally, personnel records to be examined in a school district are filed in a central location, in alphabetical order, with a separate file being kept for each person. Each file should contain the following types of evidence to support requirements of the Foundation School Program and general laws concerning public school teachers:

1. Teacher's contract
2. Teacher service record with any necessary attachments.
3. Supporting documentation for sick leave.
4. Official college transcript or other appropriate evidence of educational attainment.
5. Teachers certificate, emergency permit, or a certificate register if used, and evidence of licenses for registered nurses and physicians.
6. Audit verification card, if applicable.
7. Oath of Office
8. Tuberculosis Certificate

Evidence of assignments should also be available, and this evidence may consist of a variety of forms, including a local personnel directory, teaching schedules, assignment sheets, etc.

If a school district does not maintain a central personnel file for each individual, it is usually necessary to bring the files to a central location in order that an expeditious audit may be performed.

The files the auditor examines are normally confined to those persons whose names appear in the integrated personnel system of the Texas Education Agency. This file is generated from information reported to the Texas Education Agency on the Roster of Professional Personnel, the sick leave roster, and on the personnel assignment report. Data appearing on these reports are combined according to social security number, and are then integrated on a printout with information from teacher certification and prior audit verification. The resulting report is in the form of a roster showing available data on each person; this roster is used by the auditor as a master workpaper, and exact copies of the workpaper are presented to local school officials during the course of the audit.

SUBJECT: AUDIT REPORTS

Written reports are filed on audits performed by Texas Education Agency auditors. The report for personnel audits is usually addressed to the Texas Education Agency, Division of Foundation Program Finance, and a sufficient number of copies is sent to that division for distribution to all parties concerned. The Finance Division, usually through the Audit Review Analyst, is responsible for taking positive action on each audit report, and the report plus a letter requesting appropriate action (if any) by the local school district is sent to the appropriate local school administrator. Matters concerning personnel audit problems should be directed by local school districts to the Audit Review Analyst, Division of Foundation Program Finance. A school district will normaliy receive a copy of the audit report within three months of the field visit, although in some instances a longer period of time may be involved.

Whenever an audit of professional personnel records discloses a financial discrepancy that cannot be resolved by the local school district, an adjustment to Foundation Program payments to the local district is made by the Division of Foundation Program Finance. Such adjustments affecting personnel may be made retroactive for a period of up to five years. For example, if a district employed a person in the Foundation School Program as a principal unit for a period of five years, and it was disclosed by audit that the person was not employed as a principal or was not qualified to serve as a principal, it would be necessary to reclaim Foundation Program funds paid for this person during the five year period. Normally adjustments made on the basis of audit are only for the school district in which the audit was performed. Any necessary adjustment in Foundation Program funds is explained before the fact to the local school district by the Division of Foundation Program Finance.

SUBJECT: AUDIT VERIFICATION CARDS

The Division of Audits, beginning with the 1958-59 school year, has issued audit verification cards for personnel whose records have been audited. Although the form has changed in some respects over the years, it generally contains the same personnel data as the card illustrated below.

TEXAS EDUCATION AGENCY
DIVISION OF AUDITS

THE RECORDS FOR THE PERSON NAMED HEREON HAVE BEEN EXAMINED.
OUR EXAMINATION SHOWS THAT:

COUNTY	DIST.	SOC. SEC. NUMBER
		-

NAME

LAST NAME	FIRST NAME	MIDDLE NAME	JR, III

PROF. STATUS	DEG.	EXPERIENCE TOTAL	EXPERIENCE DIST.	SICK LEAVE

HAS THE PROPER RECORDS TO SUPPORT THE QUALIFICATIONS CLAIMED HEREON AS OF THE SCHOOL YEAR BEGINNING

AND SICK LEAVE BALANCE IS AS OF THE ENSUING AUGUST 31

REMARKS:_____

Whenever an audit is performed of a person's records, an audit verification card will be completed. If there is no question on a person's records, the card is initiated by the auditor. If there is a question in the audit, the card is initiated by the Audit Review Analyst in the Division of Foundation Program Finance whenever the audit question is resolved.

Cards issued prior to 1967 were in duplicate, the school district was issued the original to be kept in the personnel folder, and the copy was filed in the Division of Audits. During the years 1967 through 1971, cards were issued and filed in the same manner, except that the social security number appeared on the card, these cards were keypunched, and data were entered into the Texas Education Agency's computerized personnel file. Effective with 1972, all audit verification cards are generated by the computer and automatically entered into the personnel system, and the cards are sent to the school district. Audit verification cards should be considered as a permanent part of a person's files by the local school district.

Data on the audit verification card concerning degree status and years of service are always as of September 1 of the year audited and sick leave balance is always for the ensuing August 31. Whenever more than one card has been issued to a person as a result of two or more audits, the new card supersedes the old cards.

SUBJECT: USES OF THE AUDIT VERIFICATION CARD

The audit verification card has four basic uses, in that as of a certain date:

1. Degree status is established for most personnel.
2. Years of service acceptable for the Foundation School Program are confirmed.
3. Pay grade and step for Foundation School Program minimum salary purposes are confirmed.
4. Balances for the State sick leave are established.

Personnel administrators in the public schools are urged to use audit verification cards whenever data are recorded on the required reports to the Texas Education Agency. Perhaps the most effective use of the card is in determining years of service for the Roster of Professional Personnel. By adding subsequent years served to those years appearing on the card, allowable years of service can be rapidly calculated without the necessity of reviewing teacher service records for years covered on the card.

Auditors from the Texas Education Agency use audit verification data on years of service and sick leave balances, and in some instances for determining degree status. This procedure eliminates the problem of the auditor "auditing" the previous auditor. Unless there is a question of fraud or unless a teacher has presented evidence of experience not considered during the prior audit, an auditor will not under normal circumstances go behind data on an audit verification card.

SUBJECT: LIMITATIONS OF AUDIT VERIFICATION CARDS

Situations in which audit verification cards may not be necessarily relied upon, or other limitations are:

1. The audit verification card does not replace the requirement that personnel records be kept on file.

2. Degree status of school nurses, trades and industries teachers, and librarians with B.S. in L.S. degrees that have accepted other types of assignments in the public schools may not be established on the sole basis of an audit verification card. In the above types of positions, degree status shown on the audit verification card may be based on the assignment rather than educational attainment of the individual.

3. The audit verification card cannot be used for determining the validity of certification of professional personnel. A professional public school employee must hold valid certification at the time of employment, and the certificate itself, after consideration of any actions recorded with the Texas Education Agency, Division of Teacher Certification, is the only valid source for ascertaining certification status.